

REMARKS

This Application has been carefully reviewed in light of the Official Action mailed July 13, 2004. In order to advance prosecution of the present Application, Claims 1, 12, 20, and 24-27 have been amended and Claims 3 and 13 have been canceled without prejudice or disclaimer. Applicant respectfully requests reconsideration and favorable action in this Application.

Claims 1 and 12 stand objected to for minor informalities. Claims 1 and 12 have been amended to address the informalities identified by the Examiner.

Claims 24-27 stand rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Claims 24-27 have been amended to provide statutory subject matter. Therefore, Applicant respectfully submits that Claims 24-27 are in accordance with 35 U.S.C. §101.

Claims 1, 2, 4, 10, 11, 20, 21, and 23 stand rejected under 35 U.S.C. §102(e) as being anticipated by Lemieux. Independent Claims 1 and 20 recites in general an identified algorithm operable to decrypt information received from the network multiplexer and encrypt information transferred to the network multiplexer." By contrast, the Lemieux patent does not provide any encryption or decryption of information. Support for the above recitation can be found at page 8, line 22, to page 9, line 10, of Applicant's specification. Therefore, Applicant respectfully submits that Claims 1, 2, 4, 10, 11, 20, 21, and 23 are not anticipated by the Lemieux patent.

Claims 3, 5-9, 12-19, and 22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Lemieux in view of Yim, et al. Independent Claim 1, from which Claims 3 and 5-9 depend, and Independent Claim 20, from which Claim 22 depends, have been shown above to be patentably distinct from the

Lemieux patent. Moreover, the Yim, et al. patent does not include any additional disclosure combinable with the Lemieux patent that would be material to patentability of these claims. Independent Claim 12 includes a similar limitation of one or more algorithms operable to decrypt information received from the DSLAM and encrypt information provided to the DSLAM. By contrast, neither the Lemieux nor Yim, et al. patents provide such a capability. Therefore, Applicant respectfully submits that Claims 3, 5-9, and 12-19 are patentably distinct from the proposed Lemieux - Yim, et al. combination.

CONCLUSION

Applicant has made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other apparent reasons, Applicants respectfully request full allowance of all pending Claims.

The Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,

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